

3 FAM 7400

FSN EMPLOYEE ATTENDANCE AND LEAVE

3 FAM 7410

ESTABLISHMENT OF WORKWEEKS

(CT:PER-678; 06-22-2012)
(Office of Origin: HR/OE)

3 FAM 7411 GENERAL POLICY

(TL:PER-237; 1-1-95)
(Uniform State/USAID/USIA/Commerce/Agriculture)
(Applies to Foreign Service Nationals Only)

Basic workweeks are prescribed by the COM (see 1 FAM) in coordination with the heads of overseas establishments. Documented prevailing practice may be used in the establishment of the basic workweek if post determines adherence to local practice is in the best interests of the U.S. Government.

3 FAM 7412 FULL-TIME EMPLOYEES

3 FAM 7412.1 Basic Workweek

(TL:PER-237; 1-1-95)
(Uniform State/USAID/USIA/Commerce/Agriculture)
(Applies to Foreign Service Nationals Only)

- a. The basic workweek for a full-time FSN will generally consist of not less than 40 hours of work, exclusive of lunch periods, within the calendar week, Sunday through Saturday. If deemed in the best interest of the U.S. Government, posts, with the approval of PER/FSN, may establish a basic workweek of more or less than 40 hours if consistent with local labor law and prevailing practice. Departures from the 40 hour workweek convention should be approached with caution, as administrative and local legal requirements may make this option more costly to post. Such workweeks may require adjustments to leave accrual rates and possibly other benefits as well. Workweeks of 32 hours or less should be considered part-time and SF-50 (or JF-62 for personal services contract

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Personnel

employees) must designate an employee working 32 hours or less as part-time.

- b. Irregular, full-time basic workweeks (workweeks where more than the regular number of hours are worked or where the daily work schedule differs from the regular schedule) may be established for any local position of the overseas establishment or to conform more closely to local employment practices.
- c. Notwithstanding the establishment of a basic workweek, employees may be ordered and required to work hours in excess of those regularly scheduled. Payment for such overtime will be in accordance with the provisions of the post local compensation plan.

3 FAM 7412.2 Changes in Basic Workweek

(TL:PER-237; 1-1-95)

(Uniform State/USAID/USIA/Commerce/Agriculture)

(Applies to Foreign Service Nationals Only)

- a. An employee's basic workweek may be amended from week to week, if necessary to the efficient operation of the overseas establishment.
- b. Any change in workweek affecting only the days of work and not the total number of hours worked per week is recorded by a memorandum prescribing the new workdays. One copy is given the employee, and one filed in the employee's personnel folder.
- c. Any change in workweek affecting the total number of hours worked per week by an employee is recorded on SF-50, Notification of Personnel Action. For Personal Service Contracts (PSC's) the contract must be modified and a JF-62 prepared. This is necessary so that a change in the total number of hours worked per week can be accompanied by a commensurate change in salary.
- d. For annual and sick leave accrual see section 3 FAM 7435.

3 FAM 7413 PART-TIME EMPLOYEES

3 FAM 7413.1 Basic Workweek

(TL:PER-237; 1-1-95)

(Uniform State/USAID/USIA/Commerce/Agriculture)

(Applies to Foreign Service Nationals Only)

- a. Workweeks of fewer hours than set under section 7412.1 may be established. Workweeks of 32 hours or less are generally considered part-time employment. The basic workweek for a part-time employee is established at the time of appointment and recorded on a Form SF-50, Notification of Personnel Action, by indicating under "Remarks" the days of the week and the hours of the day that the employee is on duty. For PSC's days of the week and hours of the day the

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Personnel

employee is on duty are recorded in the contract and on JF-62.

- b. WAE or intermittent employment, that is, employment on an irregular or occasional basis, where hours or days of work are not normally based on a prearranged schedule and which is compensated for only on the basis of time "when actually employed," is normally considered part-time work. As a matter of policy, such work should consist of less than 40 hours per week.

3 FAM 7413.2 Benefits for Part-time Employees

(TL:PER-237; 1-1-95)

(Uniform State/USAID/USIA/Commerce/Agriculture)

(Applies to Foreign Service Nationals Only)

Guidelines for salary and benefits payable to part-time employees are set forth in 3 FAM 7300. Exceptions to those guidelines may be authorized by PER/FSN, if required by local law and/or supported by documented prevailing practice.

3 FAM 7413.3 Changes in Basic Workweek

(TL:PER-237; 1-1-95)

(Uniform State/USAID/USIA/Commerce/Agriculture)

(Applies to Foreign Service Nationals Only)

Any change in the basic workweek of a part-time employee is made according to the guidelines set forth in section 3 FAM 7412.2

3 FAM 7414 THROUGH 7419 UNASSIGNED